

Findings and Decision

**Ashley-Ann Peluso, 683 Quarry Road, New Haven, VT
Boundary Line Adjustment Application No. 2023-DRB-06-BLA**

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of boundary line adjustment application #2023-DRB-06-BLA submitted by Ashley-Ann Peluso, 683 Quarry Road, New Haven, Vermont.
2. The application was received by the New Haven Zoning Administrator on June 5, 2023, and forward to the Development Review Board (DRB).
3. On June 16, 2023, a public hearing notice was published in the *Addison Independent*.
4. On June 28, 2023, notice of public hearing was posted at the following locations:
 - New Haven Town Offices
 - Village Green Market
 - New Haven Post Office

One June 14, 2023, a copy of the notice of public hearing was mailed to the following abutting property owners:

Map/ Parcel #	Adjoining property owners	Address
5/110	Philip Bartsch	P.O. Box 80, New Haven, VT 05472
5/148	Anne Cady	653 Quarry Road, New Haven, VT 05472
5/149	Peter Fournier	629 Quarry Road., New Haven, VT 05472
5/108	Matthew Kohler	650 Quarry Road, New Haven, VT 05472

5. The Development Review Board (DRB) reviewed this application on July 3, 2023, pursuant to the Town of New Haven Subdivision Regulations adopted and amended in July 2006 and the Town of New Haven Zoning regulations as adopted August 21, 2012.
6. The following members of the DRB participated in the applications review and decision:
 - Charlie Roy (in person)
 - Kathy Barrett (in person)
 - Carol Charbonneau (remote)
 - Roger Hamilton (remote)
4. The names of other persons present and available to provide testimony:
 - Peggy Connor, Zoning Administrator
 - Ashley-Ann Peluso
 - Kevin Cleary
5. During the hearing the following exhibits were submitted to the DRB:
 - Application to Development Review Board dated June 5, 2023
 - Plat plan dated October 23, 1006 drafted by Ronald L. LaRose, R.L.S.
 - Narrative by applicant dated June 5, 2023

The application is on file and available by contacting the New Haven Zoning Administrator.

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FINDINGS OF FACT

Based on the provided site plan, testimony, exhibits, and other evidence, the DRB makes the following findings:

1. This proceeding involves a boundary line adjustment on lands owned by Ashley-Ann Peluso located at 683 Quarry Road in New Haven, Vermont, and lands owned by Philip Bartsch.
2. The property contains land located within the RA-2 zoning district.
3. The boundary line adjustment seeks to adjust the property line along the 219' strip of land northwest at an angle from the existing driveway to allow for an additional 31' to satisfy the setback requirement to build an attached 24' x 32' garage.
4. The 219' strip of land is owned by Phil and Shelly Bartsch and provides frontage rights to Quarry Road from their home on Laffin Road.
5. Phil and Shelly Bartsch have agreed to adjust the boundary line to allow room for the proposed garage
6. The proposed boundary line would be moved 5' to the north on Quarry Road, proceed at a northwest angle to 31', then straight back to the current western property line.

CONCLUSIONS:

The New Haven Development Review Board concludes that:

1. The proposed boundary line adjustment will not further alter the pre-existing non-conforming lot, as the current property line is 23' from the north-facing side of the house.
2. The proposed boundary line will not impact the existing 200' road frontage on property owned by Phil and Shelly Bartsch.
3. The proposed boundary line adjustment will result in an additional 31' to satisfy the setback requirement in the RA-2 zoning district for construction of a 24' x 32' garage.

DECISION AND CONDITIONS

Based upon the application record, testimony, above findings, and conclusions, the DRB in a vote of 4-0 (C. Roy, K. Barrett, C. Charbonneau, R. Hamilton) approves the boundary line adjustment application DRB-2023-06 BLA as presented.

The following conditions are applied to this approval:

- The applicant shall submit for approval a survey/Mylar that complies with the required minimum standards within 180 days. The Mylar is to include reference to the quit- claim deed that permanently merges the acquired acreage
- No additional land development shall occur without prior approval.
- Further development of the lot may require wastewater/potable water supply and other state or federal permits. Please contact Rick Oberkirch, Permit Assistance Specialist at the Agency of Natural Resources, for more information: (802) 282-6498 or Rick.Oberkirch@vermont.gov.

TOWN OF NEW HAVEN

Development Review Board

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- All exhibits presented in support of application #2023-DRB-06-BLA and findings of fact as recorded in this decision are included as conditions in the granting of this approval, unless otherwise amended in this approval.
 - The approval of the DRB shall expire 180 days from the date of this decision, unless the approved plat is duly filed and recorded in the office of the municipal clerk.

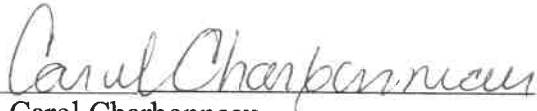
Dated at New Haven, Vermont, this 17th day of July, 2023.



Charlie Roy, DRB Chair



Kathy Barrett, DRB Vice-Chair



Carol Charbonneau

Roger Hamilton

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. §4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.